UNITED
NATIONS

S

Security Council

PROVISIONAL

S/PV.3269
24 August 1993

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND
TWO HUNDRED AND SIXTY-NINTH MEETING

Held at Headquarters, New York,
on Tuesday, 24 August 1993, at 5.25 p.m.

President:	Mrs. ALBRIGHT	(United States of America)
Members:	Brazil	Mr. SARDENBERG
	Cape Verde	Mr. JESUS
	China	Mr. LI Zhaoxing
	Djibouti	Mr. OLHAYE
	France	Mr. MERIMEE
	Hungary	Mr. MOLNAR
	Japan	Mr. HATANO
	Morocco	Mr. BENJELLOUN-TOUIMI
	New Zealand	Mr. KEATING
	Pakistan	Mr. MARKER
	Russian Federation	Mr. VORONTSOV
	Spain	Mr. YAÑEZ-BARNUEVO
	United Kingdom of Great Britain and Northern Ireland	Mr. RICHARDSON
	Venezuela	Mr. ARRIA

This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be printed in the Official Records of the Security Council.

Corrections should be submitted to original speeches only. They should be sent under the signature of a member of the delegation concerned, within one week, to the Chief, Official Records Editing Section, Office of Conference Services, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

93-86467 0340V (E)

The meeting was called to order at 5.25 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE REPUBLIC OF BOSNIA AND HERZEGOVINA

The PRESIDENT: I should like to inform the Security Council that I have received a letter from the representative of Bosnia and Herzegovina in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Sacirbey (Bosnia and Herzegovina) took a place at the Council table.

The PRESIDENT: The Security Council will now begin its consideration of the item on the agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them documents S/26233, S/26260, S/26337 and S/26337/Add.1, which contain the texts of letters dated 3, 6, 20 and 23 August 1993 respectively from the Secretary-General addressed to the President of the Security Council, conveying the reports dated 2, 5 and 20 August 1993 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

Members of the Council also have before them document S/26182, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to draw the attention of the members of the Council to the following documents: S/26227, S/26232, S/26244, S/26245, S/26256, S/26309, S/26340 and S/26342, letters dated 2, 3, 4, 5, 6, 16 and 23 August 1993 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council; S/26257 and S/26266, letters dated 6 August 1993 from the Chargé d'Affaires ad interim of the Permanent Mission of Morocco to the United Nations addressed to the President of the Security Council; and S/26281, letter dated 9 August 1993 from the Chargé d'Affaires ad interim of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General.

The first speaker is the representative of Bosnia and Herzegovina, on whom I call.

Mr. SACIRBEY (Bosnia and Herzegovina): Let me take this opportunity to congratulate you, Madam President, on your most able efforts during this month, and to wish you continued success. Let me take this opportunity also to congratulate the representative of the United Kingdom on the able fashion in which his delegation handled the Council's proceedings last month.

I wish also to thank the members of the non-aligned caucus, under the leadership of Mr. Benjelloun-Touimi of Morocco, for their able efforts to bring the cause of Bosnia before the Council again, on the basis of principles. I also thank the representative of New Zealand, Mr. Colin Keating, for his efforts in helping ensure that today's draft resolution be brought before the Council. Finally, let me thank the representative of Venezuela, His Excellency Ambassador Diego Arria, for his able efforts to see that justice and lasting peace are brought to Bosnia; thank you very much, Your Excellency.

The last time I spoke before this Council the Republic of Bosnia and Herzegovina was told, in a perversion of the United Nations Charter and the principles of international justice, that its right to obtain defensive weapons and fully exercise self-defence would pose a threat to the United Nations forces in my country and would prolong the war.

Now, in a climax of that continuing perversion, it is subtly suggested that the reemphasis of the principles of the United Nations Charter, international law, the Conference on Security and Co-operation in Europe (CSCE), Security Council resolutions, decisions of the International Court of Justice and the London Conference on the Former Yugoslavia would somehow undermine the chances for a negotiated settlement. The legal absurdity and

(Mr. Sacirbey,
Bosnia and Herzegovina)

moral degradation of that argument can only be compared to a policeman being instructed not to interrupt a gang rape because, after resisting, the victim is finally ready to submit coolly to the inevitable. Under that theory, the most heinous of crimes, a gang rape, becomes an act of seduction. Bosnia and Herzegovina is being gang-raped.

Once forced into a submissive position by acts of violence and aggression, one does not become any less a victim of a criminal act just because the victim is exhausted by the struggle. The victim calls out for help. The strong and gallant hear the cries and rush to the scene of the crime. They plead with the criminals to stop. The criminals respond even more loudly, with fierce and perverse determination. Afraid to confront the criminals, the strong avert their eyes; the gallant explain their inaction with the age-old excuse that "the victim was really asking for it". Having failed to confront the rapists, they now hope that the criminals are fatigued from and satisfied with their criminal orgy and are prepared to return to the life of law-abiding members of the community.

All have heard the cries of the victim in Bosnia and Herzegovina. Some of you, members of the Council, have even found yourselves witnesses to the crime. Many of you have offered evidence of the crime and in your debates in the Council decried those responsible. You pledged to this body that you would not allow this crime to go unreversed and unconfronted. You spoke of uncompromisable principles and of your resolve to uphold them. Noble principles were enunciated by all.

(Mr. Sacirbey,
Bosnia and Herzegovina)

On 30 May 1992, as the crime was initiated and as Bosnia and Herzegovina cried out for help, resolution 757 (1992) was adopted, placing responsibility for the crime squarely with the Belgrade regime and Mr. Milosevic. In his remarks to the Council on that day, the Permanent Representative of the Russian Federation noted that

> "So far, however, Belgrade has not heeded good advice and warnings and has not complied with the demands of the international community". (S/PV.3082, p. 37)

He emphasized that the Security Council

> "must shoulder the responsibility for a settlement in Bosnia and Herzegovina ... making use of all the measures for the restoration of peace provided for in the Charter of the United Nations". (ibid.)

Unequivocally, the Permanent Representative of the Russian Federation called for the establishment of

> "an international commission with the task of identifying and punishing those specifically responsible for slaughtering civilians in Sarajevo and other areas". (ibid., p. 38)

Mr. Milosevic, Mr. Karadzic and Mr. Mladic have been identified as responsible for crimes against humanity in Bosnia and Herzegovina by numerous independent organizations, including Helsinki Watch and Amnesty International, as well as by the United States Department of State.

It is obvious that we, the Bosnians, must be dismayed by and suspicious of so-called peace plans initiated by Mr. Milosevic, based upon the "realities" executed by Mr. Karadzic and Mr. Mladic and now adopted and promoted by those in theory responsible for delivering peace to Bosnia and Herzegovina.

(Mr. Sacirbey,
Bosnia and Herzegovina)

During the same debate of 30 May 1992, the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland eloquently reiterated that

> "there really is no doubt at all where the principal responsibility now lies: with the authorities, civil and military, in Belgrade. And that cannot be ducked; it is simply no good suggesting that they have nothing to do with the events that are going on in Bosnia and Herzegovina. Multiple-rocket launchers are not found in Serbian peasants' barns." (ibid., p. 43)

In response to the denials of responsibility from the Belgrade regime, the Ambassador noted, "They must think we are very stupid people indeed" (ibid.).

On 13 August 1992, on the adoption of resolution 770 (1992), the same representative, speaking of Serbian concentration camps and crimes, emphasized that

> "The camps themselves are only one aspect of a wholly unacceptable policy of the Serbs, both in Belgrade and in Bosnia, to extend Serb control of Bosnian territory by attacking and expelling other communities.
>
> "This resolution rightly makes special reference to the odious practice of 'ethnic cleansing'."

(Mr. Sacirbey,
Bosnia and Herzegovina)

It is appalling that in the last decade of the twentieth century, such actions should be prevalent"

- and be trumpeted by the international community as a way to achieve a just and lasting peace.

"The forcible removal of civilian populations is wholly contrary to the accepted tenets of international humanitarian law." (S/PV.3106, p. 16)

We agree, unreservedly, whether the victims are Muslim, Orthodox, Catholic, Jewish or other.

On 4 June the Ambassador of the United Kingdom once again revalidated the principles for negotiations:

"The principles which must be observed in a peace settlement are spelled out in the Vance-Owen peace plan, and they remain valid. There can be no acceptance of the acquisition of territory or alteration of borders by force. This means that until the Serbs withdraw from the land they have seized, there can be no final settlement." (S/PV.3228, p. 58)

On 29 June, when the Permanent Representative of the United Kingdom offered that he would not reply to some, as he put it

"rather intemperate and unfounded remarks" (S/PV.3247, p.134)

made by me, he also reiterated that the

"Council must do everything in its power to sustain and nourish the peace process. That does not mean that we should support solutions which would be inequitable for one of the communities in Bosnia." (ibid, p.135)

Lord Owen himself has described the current so-called peace plan proposed by the mediators as an awful plan. It is inequitable. It does legitimize the consequences of aggression and ethnic cleansing. It adopts the repugnant concept of ethnic division and, as such, is not durable or just.

(Mr. Sacirbey,
Bosnia and Herzegovina)

Some may choose to term my comments as direct or even intemperate, but I call upon the representative of the United Kingdom to reply. Our questions deserve to be answered. Why have principles been abandoned, and why are these principles so dangerous and repulsive as to be avoided?

We do not presume to offer lessons in morality to France. France has certainly in the past put before the Council the principles at issue in Bosnia and Herzegovina.

On 18 April 1993, upon the adoption of resolution 820 (1993), the Permanent Representative of France noted that stiffer sanctions were:

"the right response, at the right time, to take up the challenge from the Belgrade authorities and the Serbian elements in Bosnia that they are blatantly supporting." (S/PV.3200, p.8)

He continued:

"The international community has shown extreme patience and good will. Our Council has seen promise after promise not kept." (ibid.)

And, finally, he reiterated

"Our Council's support for the Vance-Owen plan" (ibid, p.9-10)

and added:

"The Serbian authorities have a clear choice before them: confrontation with the international community or cooperation and the search for a negotiated solution." (ibid.)

Concluding his remarks, the French representative warned:

"The Belgrade authorities must realize that the international community will not back down. Just as our determination went one step further with resolution 816 (1993), so today we are not ruling out going even further if it proves necessary to do so." (ibid.)

(Mr. Sacirbey, Bosnia and Herzegovina)

The Serbians rejected the Vance-Owen peace plan and heard the Council's threats. The international community backed down, and it and the Co-Chairmen of the International Conference on the former Yugoslavia finally discarded the Vance-Owen plan and adopted a new, so called, deal, promoted by the regimes in Belgrade and Zagreb.

It is also clear that the voicing of moral outrage is worth only as much as the action which accompanies this outrage. Action based on convenience is no substitute for resolute response when one is needed. For 16 months the cries for help from the people of Bosnia and Herzegovina have been heard. For 16 months the gallant have voiced their concern, pleading for an end. For 16 months the strong have bowed to injustice, when what is required is a resolute response and not one of convenience. The Council must remember and adhere to its words, resolutions and commitments. Failure to do so would be catastrophic, not only for the people of the Republic of Bosnia and Herzegovina, but also for the people of the world, who deserve and command the very ideals upon which the Council was established.

The draft resolution outlines certain basic principles which would establish the basis for further negotiations. Although the negotiations themselves may have the disconcerting result of forcing the victim to bargain with the criminal, we also recognize that we should not expect the cavalry of the strong and gallant. None the less, all should recognize as well that in fact it is the real, clear and constant threat of military action that has provided any impetus for, or balance in, the negotiating process. Furthermore, those nations that find themselves at the scene of the crime, being unable or uncommitted to confront the criminal, do not have the moral right to discourage policing action because they, as innocent bystanders, may

(Mr. Sacirbey,
Bosnia and Herzegovina)

be caught in the crossfire. In view of the crimes being committed - genocide, rape, torture and ethnic cleansing - no one has the right to be just a bystander, not even a sympathetic one, or one who offers temporary comfort in lieu of permanent remedies.

The draft resolution re-emphasizes that a cease-fire and the free flow of humanitarian relief provide a logical, ethical and hospitable environment for negotiations.

The threat of the crime's being continued should not be used to pressure the victim to legitimize and accept the consequences of the crime in the first place. Under such circumstances, the betrayal of the victim and principles enters into a free fall. The draft resolution re-establishes some of the principles that will provide the framework for any settlement and therefore stops the free fall.

The draft resolution is timely in that it is being adopted before the resumption of the Geneva process to find a just and durable peace. We, the Bosnians, remain committed to this process and the search for peace. We, the Bosnians, thank the members of the Security Council for adopting the draft resolution and ask them to remain committed to the application of the principles outlined therein and especially to ensure that those principles are promoted by the Co-Chairmen in Geneva at this critical time.

If the international community had been true, and possessed the will to support the principles so eloquently stated before the Council in the past, peace would be at hand, concessions to aggressors would not taint the integrity of the international community, and the credibility of this body and

(Mr. Sacirbey,
Bosnia and Herzegovina)

the restatement of principles promoted in the past would not be an embarrassment for inaction in the present. There would be no need to muffle the cries of a tortured victim.

Let me add one final point. I do not lightly apply the analogy of a gang rape to the plight of the Republic of Bosnia and Herzegovina. As we know, systematic rape has been one of the weapons of this aggression against the Bosnian women in particular. In view of this unprecedented crime against every generation of Bosnian women, I find it reprehensible that the names of only two women candidates out of a total of 23 have been forwarded by the Council to the General Assembly for selection as judges for the war crimes Tribunal.

The PRESIDENT: It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. If I hear no objection, I shall take it that that is the case.

There being no objection, it is so decided.

Before putting the draft resolution to the vote, I shall call on those members of the Council who wish to make statements before the voting.

Mr. OLHAYE (Djibouti): Once again the world is witness to yet another attempt to force the unfortunate Bosnian Government to accept what in effect amounts to an ultimatum parading in the guise of a "peace plan". It comes complete with a "map" comprising bits and pieces of disconnected patches of land - a pitiful acknowledgement that aggression and violence have paid. This latest flurry of activity presents us with three separate States in what has been characterized as a

> "ghostly union without a centrally controlled army, police force or directly elected parliament".

Despite the litany of promises supported by principles and decisions, the weakest party is asked to compromise on territory or else perish.

Perhaps the most grotesque aspect of this peace proposal lies in its weak allusion to the lofty ideals and values repeated and reinforced on every occasion in Security Council resolutions and at previous international conferences regarding Bosnia.

As one critic has noted, the

> "history of the Bosnian peace process has been one of mediators reacting to events on the ground they are unable to control".

In effect, we have worked with the reality of the situation on the ground, a Serb-determined reality, because we have categorically ruled out military intervention and have tied the hands of the Bosnian Government so it is unable to defend itself; thus have we tacitly accepted the atrocities, the "ethnic cleansing" and the aggression. It has been one of the great crimes of our time, a gross evil and obviously an unpardonable laxity to let the situation deteriorate to this morally and politically unacceptable level. It is almost as if the supposedly neutral international community has wanted Bosnia either to die or to disappear. In the words of Henry Siegman, the Executive Director of the American Jewish Congress and a survivor of the Holocaust,

(Mr. Olhaye, Djibouti)

"the current negotiations in Geneva disguise the real goal of the Serbs and Croats: to extinguish Bosnia as a State and to kill or drive into exile all of its Muslim inhabitants".

And he continues,

"however we rationalize our indifference to what is happening in the Balkans, its consequences will surely haunt us in the days and years to come. For what is at stake in Bosnia is not only indescribable human suffering but the idea of universality of the civilized norms that are the foundation of our freedom and democracy. In Bosnia, on the threshold of an unfolding new world order, we have been offered the opportunity to reaffirm that fundamental truth, and have failed the test."

The authority of the Council and the means to act have been readily available. Resolution 770 (1992) provides that "all measures necessary" (resolution 770 (1992), para. 2) can be taken to deliver humanitarian relief aid; yet we have today the spectacle of Mostar starving and disintegrating before our very eyes. The same is true to varying degrees in Sarajevo, Tuzla, Gorazde, Srebrenica and so on. Resolution 816 (1993) confirms a no-fly-zone policy; yet we have the arrogant Mladić flying to meet the United Nations Commander on Mount Igman in open defiance of that resolution. Resolution 836 (1993) authorizes States or regional arrangements to use air power to protect the "safe areas" and peace-keepers, and we have yet to see any action to this end. The recent Serb occupation of two mountains overlooking Sarajevo drew strong threats of retaliatory air strikes if it, along with the siege of Sarajevo, was not terminated, but those threats have not resulted in compliance on either count. Any threatened action, however, has been stalled by the "quagmire-mongers". Lack of enforcement or lack of the political will to enforce any of the Council's resolutions on Bosnia constitutes the core of

(Mr. Olhaye, Djibouti)

the problem. It was in the seventeenth century that Blaise Pascal underscored the consequence of the lack of enforcement when he stated; "Justice without force is powerless; force without justice is tyrannical."

For all our supposed efforts and the supposed mediation through the history of this conflict, our record of action to restrain the Serbs has amounted to virtually nothing. Again the Bosnian Government is forced into peace negotiations that are conducted while aggression continues. Sarajevo dies, Mostar dies. Humanitarian aid is blocked. Faced with a situation of attack everywhere, coupled with international inaction, Izetbegovic is negotiating under the gun. In fact, he has been presented with an ultimatum. It is perhaps the final chapter of one of the great deceptions and evils of our day, for Bosnia has stood for a multi-ethnic State politically harmonizing religious, cultural and ethnic differences. Bosnia, in short, represents the direction in which the world community has to go if we are to have real peace and an end to hostilities and hatreds.

Above all, we are attempting to conclude, perhaps without honour, the horrible war in Bosnia and bring to an end the bloodshed there. We fully understand the anguish and dilemma confronting the Bosnian Government. We hope President Izetbegovic will seriously ponder the proposals with a view to saving his people. We feel he is prepared to do so, but on an honourable basis. At this eleventh hour every effort must be made to take stock of all available options and competing objectives in order not to miss any opportunity offered, even if sometimes that entails a bitter compromise.

The draft resolution before us is deemed necessary with the clear realization that, perhaps for the last time, there is a need to reaffirm the principles contained in our previous resolutions on this conflict. We applaud

(Mr. Olhaye, Djibouti)

the spirit of understanding that prevailed during the course of our negotiations, and my delegation fully supports its adoption.

Mr. LI ZHAOXING (China) (interpretation from Chinese): The Chinese Government and people have all along been greatly concerned with the ever-worsening crisis in Bosnia and Herzegovina, which manifests itself in the prolonged conflict and untold suffering of the people. On the question of former Yugoslavia and especially the conflict in Bosnia and Herzegovina, China does not have and will not pursue any self-interest. The sole purpose of China's concern with the conflict is to promote a settlement whereby, as we have hoped, the war can be ended as early as possible so that the people will be lifted from their miseries and enjoy peace again.

We have always maintained that a political solution to the Bosnia and Herzegovina conflict should be sought. As His Excellency Mr. Qian Qichen, Vice Premier and Foreign Minister of China, pointed out at a meeting with the visiting ministerial delegation of the Organization of the Islamic Conference on 22 August, China has always stood for settling all conflicts and disputes by means of dialogue and negotiations. China attaches great importance to the position of the Islamic countries on the question of Bosnia and Herzegovina. We hope that the parties concerned will continue their efforts at achieving real peace in Bosnia and Herzegovina. China will continue to work with the international community in promoting a just and reasonable solution to the conflict and restoring peace and stability in the region.

We are of the view that as a State Member of the United Nations, Bosnia and Herzegovina's sovereignty, political independence and territorial integrity must be fully respected by the international community, and it should remain a Member of the United Nations.

(Mr. Li Zhaoxing, China)

China, as a country participating in the London Conference on the Former Yugoslavia, appreciates the efforts made by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia. In our view, any political solution to the conflict in Bosnia and Herzegovina should be within the framework of the principles established by the International Conference on the Former Yugoslavia and the relevant Security Council resolutions, and should safeguard the fundamental interests of all the parties and be freely accepted by them. Generally speaking, the draft resolution before us reflects the aforesaid thoughts.

It is based on our consistent position on Bosnia and Herzegovina and the aforementioned factors that the Chinese delegation will vote in favour of the draft resolution.

We are always opposed to the use or the threat of force in international relations. We have steadfastly held that a lasting settlement can be achieved only through dialogue, consultation and negotiation. Any further military action in Bosnia and Herzgovina will not help promote the efforts for a political solution; it will, on the contrary, further complicate the matter, thus bringing adverse effects to the search for peace. In this connection we should proceed with caution.

As winter is not far away, the people of Bosnia and Herzegovina, who have already suffered a great deal, are facing an even more severe situation. We therefore urge the parties to the conflict to cease all hostilities forthwith so as to ensure the smooth delivery of humanitarian relief aid, alleviate people's afflictions and create the necessary conditions for a just and reasonable political settlement in Bosnia and Herzegovina at an early date.

Mr. MARKER (Pakistan): Pakistan, along with the other non-aligned members of the Security Council was originally a co-sponsor of the draft resolution before the Council (S/26182), which has been under discussion since 28 July. We are now very satisfied that this draft resolution is before the Council with the imprimatur of the President, and are grateful to you, Madam President, and our colleagues on the Security Council for their understanding and support.

The non-aligned members of the Security Council originally submitted this draft resolution with a great sense of urgency and with a view to achieving fundamentally two objectives: first, to ensure a complete cease-fire and cessation of all hostilities throughout Bosnia and Herzegovina, which is an essential prerequisite for a just and equitable political solution to the conflict through peaceful negotiations; and, secondly, to set out a framework of principles which should constitute the fundamental basis for peace and a politically negotiated settlement of the crisis.

My delegation expresses its satisfaction that despite the long delay the Council has finally decided to take action on this important draft resolution.

My delegation would like once again to convey the distress and dismay of the Government and the people of Pakistan at the unending tragedy in the Republic of Bosnia and Herzegovina, and to express our disappointment at the inability of the world community to prevent the continuation of this outrage.

For 16 months a sovereign Member State of the United Nations has been attacked, ravaged and mutilated in the most blatant manner known to the world in recent times. The Serbian aggressors have perpetrated genocide, rape and crimes against humanity, and in this process the repugnant doctrine of "ethnic cleansing" has become a new and shameful addition to the political lexicon.

(Mr. Marker, Pakistan)

Despite the unanimous view that the tragedy in Bosnia and Herzegovina is caused by flagrant violations of international law and the principles enshrined in the United Nations Charter, the political will to end it appears to be sadly deficient.

We believe that the Bosnian presidency has been subjected to tremendous military pressure by the continuing strangulation of Sarajevo and the repeated blatant violations of cease-fire agreements. The humanitarian situation in most parts of Bosnia and Herzegovina, and especially in the towns and cities declared as "safe areas" by the Council, remains precarious. The inadequacy of the Security Council's response to the escalation of violence, and the blatant disregard of its resolution by the Serbs, are a matter of both outrage and concern to my delegation. The present draft resolution comes up for consideration by the Council at a crucial time, and we therefore hope that its successful adoption will help to create the conditions necessary for transparent and free negotiations among the parties concerned. It will also build and further strengthen the confidence of all parties in the negotiating process, which is the best guarantee for a just, equitable and lasting settlement to the conflict in Bosnia and Herzegovina.

My delegation once again pays tribute to the continuing and persistent efforts of the two Co-Chairmen in their search for peace in that troubled land.

My delegation also takes the view that today's draft resolution is a clear signal to all the parties that the international community will not endorse any settlement that is based upon peace at any price.

Mr. JESUS (Cape Verde): The position of my delegation on the conflict in Bosnia and Herzegovina has been clearly spelled out in the Council on many occasions. Time and again we have regretted the ominous destruction of the country, mourned the continuous loss of life, condemned the aggression

(Mr. Jesus, Cape Verde)

from outside forces, repudiated "ethnic cleansing" and supported calls to bring to justice those found to have committed war crimes and other criminal offences under international humanitarian law.

We have also joined the Council's repeated calls for a cease-fire, which so far have gone unheeded. We have voted in favour of all resolutions adopted by the Council on Bosnia and Herzegovina as an expression of our repudiation of the atrocities and injustice committed against the people of Bosnia and Herzegovina.

My delegation has also shared the frustration of the Council and of the international community at large over the many peace plans and resolutions that have gone unimplemented or remain dead letters.

We continue to believe that a lasting solution to the conflict in Bosnia should be a political one. It should be a solution based on the United Nations Charter and the principles of international law and one that takes into account a series of elements as outlined in paragraph 6 of the draft resolution before us. It is high time that an agreement be reached to put an end finally to this tragic war that has made so many victims and caused so much suffering.

We have always called on the Council to stand up to its responsibilities to assist actively in putting an end to the Bosnian conflict. The Council and those of us that have the means to implement its decisions and are conferred with the special role of doing so should use all their leverage to bring about a solution that will be fair and do justice to the three communities of Bosnia and Herzegovina. Let us hope that the draft resolution before us, of which my country was an original co-sponsor, will assist in achieving this goal.

The PRESIDENT: I now put to the vote the draft resolution contained in document S/26182.

A vote was taken by show of hands.

In favour: Brazil, Cape Verde, China, Djibouti, France, Hungary, Japan, Morocco, New Zealand, Pakistan, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela

The PRESIDENT: There were 15 votes in favour. The draft resolution has therefore been adopted unanimously as resolution 859 (1993).

(The President)

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. MERIMEE (France) (interpretation from French): Once again our Council has had to take a stand on the situation in Bosnia and Herzegovina. It is doing so at a particularly crucial time. Unfortunately, the expressions "turning point in the war" and "last chance" have been overused, but in these serious circumstances we fully support the view expressed to the Council yesterday by Mr. Stoltenberg.

We are clearly on the eve of an important historical crossroads. Either reason will prevail, the agreement conceived in Geneva on Friday will be ratified and the possibilities of peace will thus be preserved, or the irresponsible extremism of a few will yet again dash that hope - unfortunately, statements along those lines are hardly lacking - and Bosnia and Herzegovina is then at risk of being the scene of even more intensive clashes, with its very existence threatened in fighting which will involve renewed suffering for the civilian population.

The terms for a comprehensive settlement as defined after the most recent negotiations certainly do not represent an ideal solution. However, they have the merit of preserving what is essential: the continued existence of Bosnia and Herzegovina through a union of three member Republics; a territorial base for each of the three communities, but above all for the most sorely tried community, the Bosnian Muslims, economically viable areas; and finally the maintenance of Sarajevo as the united capital of that entity. Another essential element, the continued membership of Bosnia and Herzegovina in the United Nations, is today assured by our Council. Therefore, in my Government's view, such an accord, if scrupulously adhered to, would be a realistic solution, permitting the foundation of a lasting agreement.

(Mr. Mérimée, France)

It is essential that commitments be honoured. My delegation therefore welcomes the fact that the Council has stressed its readiness to take immediately the necessary measures to implement a political solution. Such action clearly benefits those who are today in a situation of weakness. Obviously, the party that is in a better position militarily is interested in having the weakest commitment by the international community. On the other hand, a massive United Nations presence in Bosnia and Herzegovina is the best guarantee of the rights of the weakest.

In this considerable effort, which perhaps awaits the international community tomorrow, my country is ready to play its role fully, as it has been doing since the beginning of the Yugoslav crisis. The parties have turned to the European Community to guarantee the status of Mostar, and in this connection we welcome the proposal of the Co-Chairmen, in principle. Guarantees will also be needed for Sarajevo. We are prepared, and we hope that the Council will respond to the expectations of the civilian population, which has been so sorely tried for some 18 months.

In conclusion, the time has passed for listing of lost opportunities. Let us hope that all the leaders of all the parties involved will finally be able to look to the future, to the re-establishment of peaceful relations between all the peoples of the former Yugoslavia.

Mr. SARDENBERG (Brazil): Ever since the beginning of the fighting in Bosnia and Herzegovina, some 16 months ago, the Security Council has been actively seized of the matter. Dozens of resolutions have been adopted, and the number of presidential statements on the Bosnian question is probably unprecedented. In spite of the numerous measures taken by the Council and all kinds of peace initiatives and negotiating efforts put in place at one moment

(Mr. Sardenberg, Brazil)

or another, a solution to that tragic conflict has stubbornly continued to elude the international community.

This long quest is now at a particularly crucial, dramatic juncture. After a series of new rounds of negotiation facilitated by the Co-Chairmen of the International Conference on the Former Yugoslavia, whose efforts are to be commended, a comprehensive proposal for a settlement is being considered by the three parties to the conflict. The proposal follows three weeks of talks, which were held under very difficult circumstances. It is, as members of the Council had the opportunity to hear from Mr. Thorvald Stoltenberg, Special Representative of the Secretary-General for the Former Yugoslavia, the result of direct negotiations between the three parties concerned.

It is the hope of the Brazilian Government that the Geneva negotiating process may conclude with a positive outcome and that, with the support of the Security Council, a just political solution, freely agreed by all the parties, may finally put an end to the indescribable suffering of the civilian population in Bosnia and Herzegovina. We also consider it essential that every effort be made to stop the hostilities forthwith and to prevent the conflict from spilling over.

My delegation voted in favour of resolution 859 (1993), whose main objective is to recall and stress the continued relevance of a set of principles within which the Security Council has been acting with regard to Bosnia and Herzegovina. Those principles maintain their relevance for the attainment of a fair solution to the conflict.

We note with satisfaction that a number of elements of particular importance to the Brazilian Government have been incorporated in the text. They include a warning to the parties on the need to ensure the unhindered

(Mr. Sardenberg, Brazil)

flow of humanitarian assistance and to respect fully the safety of United Nations personnel.

This is not the first time a settlement has seemed to be at hand with regard to the Bosnian conflict, but previous opportunities were, unfortunately, lost. Let us hope that this time history will not repeat itself, that this time a just and lasting peace may at long last be achieved.

For its part, the Security Council must stand ready, should the parties reach an agreement, to consider how best the United Nations can do its share in the effective implementation of such an agreement.

Mr. BENJELLOUN-TOUIMI (Morocco) (interpretation from French): My country has followed with increasing sadness the tragedy that has been going on in Bosnia and Herzegovina for more than 16 months. I do not want to recall the facts, because their nature, unfolding and evolution have made them well known as the first human tragedy of the post-cold-war era. It is sufficient to say that the systematic killing, the uprooting of populations, the "ethnic cleansing" inflicted on the Muslim people of Bosnia and Herzegovina and the massive violations of human rights have reached a level that will be a disgrace to mankind for centuries to come.

The result is that two thirds of Bosnian territory is now occupied by the Serbs, and the few cities still under Bosnian control are being bombarded incessantly, causing more death and destruction, together with forced expulsions, massive famine and the denial of humanitarian assistance desperately needed by the civilian population.

In spite of a recent improvement, which I would describe as modest, the situation in Bosnia and Herzegovina continues to be a major concern for my country and all other countries devoted, as we are, to the principles of the Charter of our Organization.

(Mr. Benjelloun-Touimi, Morocco)

The international community, and the Security Council in particular, have tried to deal with this tragic situation. The significant number of resolutions, some under Chapter VII of the Charter, and the equally significant number of presidential statements show that the Security Council has not remained passive. But we wonder whether all these efforts are really enough to put an end to this genocide, since all appeals and threats have so far been completely ignored by the aggressors.

(Mr. Benjelloun-Touimi, Morocco)

On the strength of their military superiority and outside support, the Bosnian Serbs have intensified their intransigeance and their war-like intentions, constantly defying the international community. Their Machiavellian plan to dismember the country is no secret: it consist in rejecting any compromise that does not satisfy their appetite for annexation. Their rejection of the Vance-Owen is eloquent testimony to this. My delegation, and other non-aligned members of the Security Council, therefore wonders about the manner in which the Geneva negotations on the draft settlement put forward today took place, and about what the atmosphere was. Even though my country has always held that all conflicts should be settled by peaceful means, by agreement and by dialogue, we cannot help but feel bitterness and disappointment because we know - as we all do - that the Bosnian Government has had to negotiate from a position of weakness.

My delegation in no way wishes to prejudge the outcome of these negotiations. If the three Bosnian parties, with the laudable assistance of the Co-Chairmen, can reach agreement on a plan that is freely entered into - and I do stress the word "freely" - and is just and equitable in terms of international law and the United Nations Charter, my country could not but feel satisfied. For the people of Bosnia and Herzegovina have suffered enough from the torments of this unjust and devasting war.

The non-aligned members of the Security Council almost a month ago submitted a draft resolution that in fact does nothing more than rehearse the principles behind the relevant Security Council resolutions, which were

(Mr. Benjelloun-Touimi, Morocco)

inspired by the United Nations Charter, and demand that hostilities cease. In submitting this text to the attention of the other members of the Council, our countries had the intention of sketching a framework - a legal framework, perhaps - for the Geneva negotiations, and, first and foremost, of reminding the three parties involved, and the Co-Chairmen, that any just and lasting settlement to the conflict in Bosnia and Herzegovina must be based on the universal principles recognized by the international community.

After a series of consultations with all the other members of the Security Council that I would term constructive, though often difficult, a consensus text was finalized that has just now been unanimously adopted as resolution 859 (1993). This resolution clearly states that a solution to the conflict in Bosnia and Herzegovina must be based on the principles of the United Nations Charter and international law, and reaffirms, in particular, the sovereignty, territorial integrity and independence of Bosnia and Herzegovina and the maintenance of Sarajevo, its capital, as a united city and a multicultural, multi-ethnic and pluri-religious centre. Under this resolution, the Security Council also declares that it is prepared to take the necessary steps to assist the parties in the implementation of a just and equitable settlement once they have freely accepted it.

My delegation therefore voted in favour of resolution 859 (1993) in the hope that this decision by the Council will contribute to a just and lasting settlement of this conflict, which has lasted far too long, and that it will send a clear message that the international community cannot give its support to peace at any price in Bosnia and Herzegovina.

Mr. KEATING (New Zealand): It has been a matter of grave concern to New Zealand that for several months now the Council has been seriously divided on how to respond to the increasingly tragic situation in Bosnia. This division, and the consequent inaction, put at risk not only the interests of Bosnia but also the longer-term credibility of the United Nations system and the Council's role in collective security.

It seemed to New Zealand over those last few, very critical weeks that it was absolutely essential that the Council should overcome these differences. It also seemed to us that this was likely to be a watershed time in Bosnian history. We felt that if the Council were to sit impotently on the sidelines, this would be seen by the world as also a watershed in the history of the United Nations - the point at which the United Nations began a slide backwards to the diminished state it enjoyed during the cold war. We are pleased that the Council has risen to this challenge, and New Zealand is pleased to have played a small role in helping.

Bosnia has become a symbol of what can confront any small State. The small and the vulnerable must be able to depend on the collective security mechanism of the United Nations, and that means that the Council must be willing to act when it is seized of an issue.

The achievement of a political settlement in Bosnia by negotiation has always been a central plank of New Zealand's policy. That is why we supported the Vance-Owen plan, and that is why we acknowledge with gratitude the contribution of the Secretary-General's Special Representative, Mr. Stoltenberg, and his staff. But we have always been conscious that the disparities in military strength meant that the negotiating cards were stacked against the Bosnian Government. It was therefore appropriate and necessary

(Mr. Keating, New Zealand)

that the international community's collective security mechanism - this Council - should intervene with collective measures, firstly with the establishment of the United Nations Protection Force (UNPROFOR), secondly with economic sanctions against the FRY, and then more forcefully, with options such as the no-fly zone, the protected safe areas and, eventually, the threat of serious military deterrents, such as air strikes.

New Zealand indicated at an early stage that it would support air strikes if the Serbs continued to interrupt the delivery of humanitarian assistance or to strangle Sarajevo and other safe areas. We took this position because we believed that the credible prospect of a forceful response under the auspices of the United Nations Security Council would be helpful to the course of the negotiations, and we are satisfied that it did indeed have a salutary effect. But now, at this critical time, it is again essential for the Council to act. The resolution we have just adopted underlines the importance the Council attaches to backing up UNPROFOR with force, if necessary, and it emphasizes the support that the Secretary-General enjoys on this issue.

The resolution also addresses three other matters that my delegation believes are essential for any fair and freely accepted settlement: first, the continuity of the Bosnian State; secondly, the special status of Sarajevo as a unified capital; and, thirdly, the reiteration of the general principles under which the negotiations have proceeded.

Members of the Council have never sought to determine the fine detail of the terms of the settlement negotiations, but the United Nations will be expected to support the implementation of any settlement. The Council must, therefore, feel a sense of positive engagement with the process.

(Mr. Keating, New Zealand)

On the question of implementation, we are very pleased that the resolution looks forward to the role that the Council will have to play once a settlement is finally concluded. We know that for all the parties in Bosnia, ongoing United Nations guarantees of security are essential, and this will require a major expansion of UNPROFOR, with all the costs, both human and financial, that will involve.

(Mr. Keating, New Zealand)

My delegation urges that all members of the Council be ready to move very swiftly on implementation of a settlement, should that be agreed, and that the Secretary-General be ready to provide the Council with detailed recommendations as soon as possible.

In conclusion, I should like to reiterate my delegation's satisfaction that the Council is now showing all concerned that it is willing to give guidance to the Co-Chairmen on the elements for a settlement and that it is fully engaged in the process.

The Council is indicating that a settlement must be freely accepted - that in reality a settlement is not a settlement unless the parties are ready to respect it. But most importantly, the Council is again speaking with a single firm voice.

And, finally, the Council is also leaving the aggressors with a very stern message, a message about individual responsibility for war crimes and about operational readiness for air strikes if they choose to exploit any opportunities to continue on the path of war rather than on the path of peace.

Mr. ARRIA (Venezuela): The original intention of the non-aligned members of this Council when they again brought up the issue of Bosnia and Herzegovina was to convey to the parties and the Co-Chairmen of the peace talks that any agreement which might derive from such negotiations would need to be in conformity with a minimum set of principles, recognized by the United Nations Charter, by international law and by prior resolutions of this Council.

I should like to state for the record that consideration of our original draft resolution was unfortunately delayed for various reasons, among them in particular the serious situation in and around Sarajevo during the month of July. Had it considered the draft resolution in a timely fashion, the Council would thereby have exercised its duty to contribute to a just settlement, and

(Mr. Arria, Venezuela)

would have avoided some of the flaws which, in our judgement, have characterized the negotiating process since the beginning of this, its latest stage.

My delegation has carefully followed the news on the Geneva negotiations. We have on numerous occasions expressed our concern over the relative scarcity of information provided to the Council, and we have reiterated that a more active interaction would have been desirable if the Council were to be in a position to exercise fully its responsibilities.

From Lord Carrington's negotiations to the Vance-Owen Peace Plan, Bosnia and Herzegovina's tragedy has accelerated downhill into ethnic partition - a kind of apartheid modality - no longer a peace plan, but simply a deal. We have the impression that there is an interest in terminating this matter at any price. The price might possibly be forced onto the Government of Bosnia and Herzegovina, but it will never be accepted by the world community, which watches in dismay political expediency and lack of resolve taking the place of moral principles and the values of civilized behaviour. Bosnia and Herzegovina will pay an extremely high price, but the international community will certainly pay an even higher one in moral and political terms.

After the Vance-Owen Plan supported by this Council was rejected in May by the Pale Serbs, we humbly dared to believe that had Lord Owen resigned, his prestige and dedication could have made of him a formidable critic of this process. He could, I believe, have influenced and generated a much-needed change in the international community's position. Lord Owen could have dramatized the fundamental difference between negotiation and capitulation. Hanging on to the process when the plan, his plan, the international community's plan, was essentially replaced by the aggressor's plan, added a certain misleading image of continuity to the now-defunct Vance-Owen plan.

(Mr. Arria, Venezuela)

The Geneva negotiations, it should be remembered, have taken place against a background of continual hostilities. It remains to be studied how large an impact such hostilities may have had on the process. To our delegation, it is evident that such hostilities can only have been geared to serve the purposes of those with the upper hand on the ground, and this is to be deplored unreservedly.

The Geneva negotiations have equally taken as a basis the joint Serbian-Croat proposal. We should remember that this proposal came about following the dismissal by the Bosnia-Serb party of the Vance-Owen Plan, and in the context of continued hostilities against the Government of Bosnia and Herzegovina, which allowed that party to adopt a negotiating position based on the use of force and on the process of "ethnic cleansing" it has carried out systematically since the beginning of the war. My delegation considers that a peace process based on such extraordinary premises cannot but be flawed in essence.

The third characteristic of this process which dismays my delegation is the stand taken by the Co-Chairmen. On their own authority - certainly without updated guidance from this Council - they undertook to revert to an "assistance to the parties" position, leaving the parties thereby to their own devices on how to reach an agreement. The implication is, obviously, that pre-eminence was given to the military situation on the ground, thereby reinforcing and giving authority to the imbalances and pressures derived from the hostilities. To our delegation, the agreed principle of fostering a settlement among the parties themselves ceased to have any standing once it became evident that it was designed to serve the purpose of legitimizing the spoils of war.

(Mr. Arria, Venezuela)

I should now like to comment on some of Lord Owen's recent remarks in Geneva, which we consider of significant importance.

He says that "if anyone sits down and looks at the Geneva package in a pure sense, there will be deficiencies". After all, "we were were dealing with the effect of 17 months of bloody war". In reaction to this statement my delegation believes that the questions the Security Council should ask itself are as follows: Are there any other ways to consider this process than in a pure sense? Could the Council, in accordance with the principles of the Charter of the United Nations, look at these issues in any other manner? We categorically believe the answer is a pure "no".

Lord Owen added: "We went through the options facing Izetbegovic" - meaning Mr. Alija Izetbegovic, President of the Republic of Bosnia and Herzegovina; "I recalled to him that it is his country, his people, his choice".

The first option was this: The President of the Republic of Bosnia and Herzegovina should accept the deal presented to him - that is, 30 per cent of the country to the 44 per cent of its population which is Muslim and the partition of the Republic along ethnic lines, with the territory acquired by force and "ethnic cleansing" remaining in the hands of those who now hold it.

The other option was eloquently expressed by the Conference's spokesman, Mr. John Mills, who said: "The deadline for replies is August 30th - if they do not sign, the war will continue". When Mr. Mills said "they" he was, of course, referring to the Bosnian Muslims, because the two victors in the conquest of the Republic of Bosnia and Herzegovina, the Serbs and the Croats, had already expressed their full satisfaction and readiness to sign.

Obviously, neither Lord Owen nor former Minister Stoltenberg was in a position to offer any other option. That other option should be provided by

(Mr. Arria, Venezuela)

the Security Council, especially with the support of its permanent members - that is, it should enforce its previous resolutions to halt the aggression until a just, equitable and permanent peace agreement can be reached, without deadlines for the victims.

(Mr. Arria, Venezuela)

Lord Owen finally said, "I leave it to him [President Alija Izetbegovic] to describe his position and how he intends to handle it". To ask President Izetbegovic to describe his position is probably not very considerate.

I remember my visit to Sarajevo with the Bosnian President and other members of the Government; I was reminded of what Winston Churchill said after Munich in 1938:

> "All is over. Silent, mournful, abandoned, broken Czechoslovakia recedes into darkness".

That could be the Bosnian President's description of the position today in Mostar.

The Council is now faced with stark choices. It is unthinkable that the Council should act in any manner that could foster further hostilities and suffering, yet the draft agreement the parties have taken back to their authorities for decision can hardly be said to be the basis of a just, equitable and lasting peace in Bosnia and Herzegovina. It can reasonably be doubted that it does not reward aggression. It will impose on the United Nations very serious political and financial commitments. Not only is the wisdom of such commitments difficult to judge in the light of the very peculiar characteristics of this round of negotiations, but the far-ranging implications most certainly do not seem to have been clearly spelled out to the Council.

Mr. George Zarycky of Freedom House recently said:

> "Bosnia is a horrible lesson. Moral evasions, when they eclipse our ability to see and respond to evil, will undermine our values and our fundamental beliefs at a time when the world is shrinking and so many are looking to the West for leadership".

(Mr. Arria, Venezuela)

I might add that the aggressor's triumph will surely diminish all of us in the Security Council.

The draft resolution before us takes into account many suggestions by all members of the Council. It is the product of long consultations, Madam President, under your very effective and intelligent guidance; my delegation certainly hopes that in its reiteration of principles it will serve for the future reference of the Council when it considers whether any agreement among the parties is or is not in conformity with its provisions, and whether or not the range of guarantees it may call for should be provided.

I have tried to sketch what my delegation, in the exercise of its duties as a member of the Council, feels to be flaws in the process that led to the Geneva draft agreement, but it is now undoubtedly up to the parties to state their positions. It may well be too late for those of us who abhor the logic of war and the injustice and misery it brings with it to pretend that this Organization is willing to reverse its consequences. Might is still right, and put to the test immediately after the end of the cold war, this Council has not been politically capable of unravelling the logic of that proposition.

Our concerns do not stop at that point. No Member of this Organization should be led to believe that it will not be a party to the consequences of the process as it has come about. The future is fraught with uncertainties; the experience of this whole process does not seem to bode well for lasting peace in Bosnia and Herzegovina, for the stability of the region, or for the future of our Organization, whose leadership and resources will most certainly be critical in the near and foreseeable future if even this kind of settlement is to have any practical impact on the ravages of war.

(Mr. Arria, Venezuela)

Should this exercise fail and war begin again, the Council will be well advised to make the choice it has avoided until now: provide the Republic of Bosnia and Herzegovina with the means to exercise its right of self-defence, or enforce the resolutions it has itself adopted on Bosnia and Herzegovina. Should it fail to do one thing or the other, the credibility of the international-security system the Charter is meant to represent will have been seriously undermined.

As the issue is also addressed by this resolution, I would like to take this opportunity to make some comments about what we believe is, although indirectly, another major part of a comprehensive settlement of the situation in Bosnia and Herzegovina which has not been under discussion in Geneva, and rightly so. I refer to the International Tribunal for the prosecution of persons responsible for serious violations of humanitarian law in the former Yugoslavia.

If peace is to prevail in Bosnia and Herzegovina urgent action must be taken to make the International Tribunal operational as soon as possible. A recent editorial in The New York Times summarized its purpose:

"The world can still deploy the non-lethal but devastating weapons of truth, law and shame".

The credibility of the United Nations, and more particularly the Security Council, is at stake with the International Tribunal for the former Yugoslavia. If the Tribunal fails, this will have a historic impact on the standing of the United Nations and of the Council in the eyes of the nations and the peoples of the world.

(Mr. Arria, Venezuela)

The inability or unwillingness of those with the power to prevent what we have witnessed must now yield to the only thing left for us to do - bring to justice those who have committed war crimes and crimes against humanity: systematic rape, torture, the large-scale killing of civilian populations, the massive destruction of civilian property and cultural property, attacks upon hospitals and medical personnel, the prevention of humanitarian relief and, last but not least, the abhorrent policy of "ethnic cleansing". To allow the perpetrators of these deeds to go unpunished would run counter to every basic principle of law and morality; this the United Nations must reject most vigorously.

Obviously, no one advocates allowing the criminals to go unpunished, but there is a specific way in which that insidious result can be avoided: the election of an effective prosecutor who knows the area, the nature of the conflict, the specifics of the situation and the types of violations of major importance. Our caucus has made its views on this matter known in the informal paper it has circulated among the members of the Council.

Transparency of purpose must be matched by transparency of action.

To conclude, I would like to bring to this Council the powerful reflections of the very distinguished French philosopher Bernard-Henri Lévy:

> "Sarajevo is a symbol. Its famous perimeter, where churches, Orthodox basilicas, minarets and synagogues live together, is a symbol of the tolerant, cosmopolitan, pluralist Europe that the apostles of Maastricht wanted to build. Today Sarajevo faces two options. The first is that the capital city does not fall, which would be a triumph for that

(Mr. Arria, Venezuela)

Europe. It would also prove that this Europe is possible and that, in any case, the cause of a civilization founded on the basis of mixture and of the 'impurity' of its origins is not absolutely desperate. The second is that Sarajevo falls; you would then see that, sooner or later, from one end of the European continent to the other, the fanatics of the soil, of blood, of the purity of origins and races will triumph - in short, fundamentalism".

I trust that tomorrow, when contemplating the devastation of the remains of what used to be a beautiful and peaceful country, Bosnia and Herzegovina, a Member country of our Organization, we will not be obliged to recall Shakespeare's lamentation in Henry V:

"Shame, and eternal shame, nothing but shame" (IV: v)

Mr. MOLNAR (Hungary): The action of the Security Council today is in response to the critical stage the tragedy in Bosnia and Herzegovina has now reached. The war in that new State Member of the United Nations has been going on for more than 16 months. During that period, military attacks, the acquisition of territory by force and the practice of "ethnic cleansing" have continued in the most brutal form throughout the country. The whole world recognizes beyond all doubt that the overwhelming responsibility for the bloodshed lies with the Bosnian Serb party.

(Mr. Molnar, Hungary)

As the latest developments in Geneva have demonstrated, it is the third time that the constant efforts of the international community, in response to the tragedy, have produced a credible chance of reaching a negotiated settlement.

Yesterday, however, the Special Representative of the Secretary-General for the Former Yugoslavia, Mr. Stoltenberg, also shared with the members of the Council his assessment that if a negotiated solution is not soon achieved, the war will not only continue, but will intensify and may even expand, with all its severe consequences. In our judgement, it would be irresponsible to ignore the relevance of this assessment. Hungary in no way wishes to contribute to the probability of making such a mistake. Neither do we want to conceal or neglect the fact that, in spite of all interntional efforts aimed at finding a workable solution, basic problems still remain to be settled among the parties and within their respective constituencies. However, we are firmly convinced that,even if the parties are not entirely satisfied with all aspects of the compromise worked out in Geneva, their dissatisfaction should be reconsidered against the stark prospect of an intensified war and, as a crowning misfortune, the disaster of the approaching winter.

Hungary considers it to be of exceptional value that at this critical juncture the Security Council can stand united. Its call for an immediate cease-fire and cessation of hostilities throughout the Republic of Bosnia and Herzegovina is indeed the first and quintessential step to take in order to achieve a fair and long-lasting political solution. It is also a prerequisite for being able to secure the unhampered supply of urgently needed humanitarian aid for the population of that country. The resolution also confirms in

(Mr. Molnar, Hungary)

in precise terms all of the basic principles, including the unacceptability of aggression and ethnic cleansing, which must be applied without compromise in the course of settling the Bosnian crisis.

These are the considerations which guided the Hungarian delegation in voting in favour of draft resolution 859 (1993).

Mr. VORONTSOV (Russian Federation) (interpretation from Russian): The Russian delegation voted in favour of the resolution, taking into account the changes made during the course of deliberations, which in our view bring it into line with support for the Geneva process aimed at achieving a political solution to the conflict in Bosnia and Herzegovina.

Moreover, in so doing we proceeded on the basis of our firm conviction that all steps taken by the Security Council on the issue of a Bosnian settlement must now be aimed solely at assisting the negotiations in Geneva, which provide a unique opportunity finally to halt the bloodshed and lead to a political settlement in that country lacerated by war.

It is Russia's fundamental position that the international community first and foremost the United Nations, through the Security Council must now give clear signals promoting peacemaking and not actions likely to impede the negotiating process. We believe that at the present time it is inappropriate to engage in tough rhetoric, or intimidatory tactics. It is even more important not to hastily react in ways which are inadequate as regards the real situation and are even more inadmissible since they risk entailing the collapse of the entire machinery for a settlement and in the escalation of bloodshed.

The Russian delegation notes that the Geneva process has now reached an extremely important stage as a result of the intensive work and the closest cooperation demonstrated by the parties to the negotiation process

(Mr. Vorontsov,
Russian Federation)

throughout the entire period of attempting to find a settlement. There is every indication that the leaders on all sides are finally abandoning the absurd idea of military victory and are taking a stand in favour of political solutions, which alone can open the way to a lasting settlement.

As was stated at a meeting of the members of the Security Council with the Special Representative of the Secretary-General, Mr. Stoltenberg, the only alternative to a peaceful agreement is a continuation of the war and of the suffering of the peoples of Bosnia and Herzegovina. It is frightening even to contemplate this, but unfortunately it is true.

The agreements reached in Geneva are largely the result of the genuinely colossal efforts of the Co-Chairmen of the International Conference on the Former Yugoslavia, Lord Owen and Mr. Stoltenberg. Russia firmly supports the efforts of the Co-Chairmen to achieve a speedy and final settlement of the conflict in Bosnia and Herzegovina.

We are convinced that all three parties to the Bosnian crisis cannot now let slip what may be the last opportunity for peace. At this time, when there is a clearly tangible shift even regarding the most complex issue - the map for the territorial arrangements for Bosnia and Herzegovina - we call on all the Bosnian sides to give their agreement to this difficult but vitally important compromise within the timetable laid down by the Co-Chairmen.

The Russian delegation notes, however, that there remain unbalanced and biased elements in the resolution concerning one of the parties to the conflict in Bosnia and Herzegovina. In our view this incorrectly reflects the real state of affairs today in Bosnia and Herzegovina for example, with respect to the well-known events in the central part of that country.

(Mr. Vorontsov,
Russian Federation)

In addition, in connection with paragraph 5, which deals with the Secretary-General's letter to the effect that the United Nations now has the initial operation capability for the use of air power to support the United Nations Protection Force (UNPROFOR) in Bosnia and Herzegovina we unequivocally believe in the need for the Secretary-General to hold, consultations with members of the Security Council before the adoption of a decision on air support for UNPROFOR. There should be no automatic response on this important question.

We wish particularly to emphasize that air power can be used only in support of UNPROFOR, as is provided in resolution 836 (1993). We support the idea expressed by Mr. Stoltenberg in the consultations that the Security Council must play an important role in implementing the agreement which must be achieved in Geneva, and we are gratified that this idea has been reflected in paragraph 8 of the resolution.

In the view of the Russian delegation, the Security Council must not only promote the speedy achievement of an agreement on Bosnia and Herzegovina, but must also specify its own role as a guarantor of the agreement's implementation. We believe that immediately after the signing of the entire Geneva package the Security Council should therefore adopt a supporting resolution, providing not only for active, positive steps to implement the agreements, but also for strict measures concerning those who violate them.

Russia is ready to cooperate actively with all parties in the interest of the speedy achievement of an agreement for a political settlement in Bosnia and Herzegovina.

Mr. HATANO (Japan): On the question of Bosnia and Herzegovina, the Security Council has already adopted a number of resolutions concerning, for example, the provision of humanitarian assistance, the establishment of safe areas and the adjudication of war crimes. These are all important and useful efforts to meet minimum humanitarian needs, but we are still unable to see peace in the area, and the danger of intensified war continues.

As my delegation has reiterated many times, a truly durable peace can be achieved only through negotiation, and the real question confronting us and the Security Council is how the Security Council might be helpful to the negotiation process in Geneva. Japan strongly supports the continued efforts of the Co-Chairmen and hopes that all the parties concerned will respond to them in good faith.

In adopting this resolution, the Council is seeking to help the Co-Chairmen, facilitate the negotiations and contribute to success in Geneva. I hope that this sincere effort of the Security Council, which affirms the relevant principles and demonstrates its readiness to assist in the implementation of negotiated peace, will receive the proper understanding and appreciation of all concerned.

At the same time, I must point out that a meaningful agreement can be reached only if the leaders of the three parties concerned demonstrate the political will and leadership to surmount various difficulties. I know it is not easy, but I trust that it will be done.

Mr. YAÑEZ-BARNUEVO (Spain) (interpretation from Spanish): The Spanish authorities have thoroughly studied the reports submitted by the Co-Chairmen of the negotiations in Geneva, as well as the valuable information supplied to the members of the Security Council yesterday by the Secretary-General's Special Representative, Mr. Stoltenberg. My delegation

(Mr. Yáñez-Barnuevo, Spain)

considers it right and fitting to pay tribute to the work of the Co-Chairmen, who are doing an exceptional job in the cause of peace in the former Yugoslavia. Under the circumstances, they have had to summon their great powers of persuasion in the search for a peaceful solution to the conflict in Bosnia and Herzegovina.

In his presentation yesterday, Mr. Stoltenberg described the tragedy on the ground in Bosnia and Herzegovina, a situation that deteriorates with every passing day and that has now become a humanitarian tragedy of dire proportions. On this point I should like to call attention to the fact that that tragic dimension obtains not only in Sarajevo, which is the almost exclusive object of international attention, but also in many other areas of that Republic. Our immediate concern is focused on the area around the martyred city of Mostar, where the Spanish troops forming part of the United Nations Protection Force (UNPROFOR) are carrying out an especially valuable humanitarian mission. We are pleased that, with UNPROFOR's intercession, only hours ago an agreement was reached on a cease-fire and on the provision of humanitarian assistance to Mostar's civilian population. We trust that the parties will honour their word so that that operation and all those carried out by UNPROFOR and the humanitarian organizations can be carried out without obstruction or incident.

It is therefore necessary to emphasize the need to continue increasing humanitarian aid and the assistance of the international community, whatever outcome is reached by the parties to the conflict in the dialogue unfolding in Geneva. Winter approaches wearing seven-league boots, and, starting now, the proper measures must be taken to allay as much as possible the suffering of the civilian populations. The representatives of the three parties can best serve their own population precisely by reaching, as quickly as possible,

(Mr. Yáñez-Barnuevo, Spain)

an honourable peace accord that respects the principles established by the international community.

Mr. Stoltenberg presented to us in this context - and quite rightly so - the agreements package achieved in Geneva with a view to the just and comprehensive settlement of the conflict that is laying waste to Bosnia and Herzegovina. Certainly, as the Co-Chairmen themselves point out, it is not an ideal package. But in such difficult circumstances as those we face now, it must be considered a solution that, though perhaps not the best one, has a major virtue: it allows us to achieve peace, a peace that in order to be just and equitable cannot be a peace at any price, but rather one that is achieved within the framework of the principles of the United Nations Charter and of the London Conference, principles whose validity has been guaranteed by the Co-Chairmen throughout the Geneva negotiations, just as the Council does now in resolution 859 (1993), which we have just adopted. In particular, we wish to reaffirm the unity and integrity of Bosnia and Herzegovina and its continuation as a State Member of the United Nations.

The Geneva agreements have certainly been reached under the auspices of the Co-Chairmen, who have through their tireless mediation made the attainment of that package possible. However, as Mr. Stoltenberg has pointed out to us, the Geneva package has been hammered out primarily by the parties, and it will be up to them to sign it and put it into practice. There can be no substitute for the genuine will of the parties to comply with the agreements in good faith. But the continued presence of the international community - if, as we hope, a peace settlement is attained - will be even more necessary, as it will strengthen the confidence of the parties and will facilitate the difficult task of implementing the agreed commitments. For this reason, my delegation is pleased that in resolution 859 (1993), which we have adopted today, the

(Mr. Yáñez-Barnuevo, Spain)

Council declares its readiness to consider at the proper time, once the parties have signed the agreements, the adoption of the necessary measures to foster their effective application. At that time all the helping hands in the world will not be enough for overseeing the agreements, following up the humanitarian-aid effort and undertaking the reconstruction of the country. The United Nations will have a fundamental role to play, but the collaboration of other organizations and, in particular, the European Community and the North Atlantic Treaty Organization will be required.

Putting an end to the daily tragedy suffered by the civilian population of Bosnia and Herzegovina must be the first and last consideration in the international community's actions. Here I should like, by way of closing, to interject something said by Benjamin Franklin, and, with an amicable nod to my friend Diego Arria and as a token of admiration, I shall say it in English, to show him that I, too, can quote in English.

(spoke in English)

"There never was a good war, or a bad peace."

(spoke in Spanish)

In that light we can see the crucial imp rtance of the negotiations now under way in Geneva. The wisdom contained in that aphorism by one of the founding fathers of the North American nation constitutes the best reminder that can be offered to all the parties to the conflict in Bosnia and Herzegovina at a crucial moment when difficult decisions are being faced.

Mr. RICHARDSON (United Kingdom): Like others, I welcome the adoption of this resolution by consensus, and, like others, I welcome this demonstration that the unity of the Council has been maintained.

We meet at what may prove to be a turning-point in a tragic and bloodstained war that has tested the United Nations to its limits. The decision for peace or further fighting now rests with the Bosnian parties to the conflict.

The Secretary-General has transmitted to us the text of an overall package of agreements which has emerged from negotiations held between the three parties under the guidance of the Co-Chairmen. This package has been given to the parties, and they have been asked to return to Geneva on 30 August for a final meeting.

The draft settlement aims to bring an end to this appalling conflict which has threatened - and which continues to threaten - peace and security in the region. The Co-Chairmen have made it clear that the draft settlement ensures Bosnia's sovereignty, territorial integrity and political independence within its existing international borders. This was a key requirement agreed at the London Conference on the Former Yugoslavia. They have also emphasized that this settlement ensures continuation of Bosnia's membership of the United Nations, something that is explicitly confirmed by the Council in the resolution that we have just adopted, as is the maintenance of Sarajevo as a united capital city.

The Secretary-General's Special Representative told Council members yesterday that none of the parties is satisfied with the map. But, as he pointed out, it is now up to them to decide whether their dissatisfaction is such as to justify a decision to continue the war - because that is the only

(Mr. Richardson, United Kingdom)

real alternative: a resumption and an intensification of the conflict, together with the massive suffering that that would involve.

Having said that, I want to make it absolutely clear that my Government can only accept a settlement which has been freely entered into by all the parties. An imposed settlement would not be acceptable.

The humanitarian situation is closely linked with the prospects for an overall settlement. With winter drawing near, we all have to remember that over 2 million people depend on this relief effort, in which British elements of the United Nations Protection Force (UNPROFOR) have taken part from the very outset.

Work to restore basic utilities to Sarajevo continues, but the situation is very far from acceptable. We are deeply concerned in particular by the conditions in and around Mostar, and I echo what my Spanish colleague has said.

It became clear earlier today that the Office of the United Nations High Commissioner for Refugees (UNHCR) convoy of desperately needed food and medicines were still being denied access to the city. We call on all the parties to cease hostilities without delay, and we call upon the Bosnian Croats in particular to allow UNHCR and UNPROFOR personnel immediate and unconditional access to all parts of Mostar. There is no time to lose. We were informed by the Secretariat an hour or two before this meeting that an arrangement has been made for the provision of assistance, with the agreement of the parties, into Mostar tomorrow. We expect that agreement to be maintained.

It may be rash to look ahead, but if a settlement were to be accepted the United Nations and other international organizations would have a vital role to play in ensuring its prompt and effective implementation so that the people of Bosnia can begin the task of reconstruction of their shattered country.

(Mr. Richardson, United Kingdom)

A great deal of the planning undertaken by the United Nations and by the North Atlantic Treaty Organization (NATO) for the Vance-Owen plan will still be relevant, and NATO Governments have indicated their willingness to take part in the implementation of a durable settlement under the authority of the Council. Civilian resources will also be needed. As Mr. Stoltenberg has pointed out, international guarantees are an essential part of the agreements that have emerged from Geneva. These include provision for the demilitarization of the country under the supervision of the United Nations. They also include arrangements for the protection of human rights, for the freedom of movement within the country, and for the right of all displaced persons to return to their homes. That is why the Council has emphasized its readiness to consider whatever measures might be necessary to help those concerned in carrying out these difficult tasks.

Lord Owen, I think, can well reply for himself, but I want in any case to say a final word about the Co-Chairmen and about their efforts over the last few months. They have spared no effort to bring the three parties together. They have worked patiently in the face of every disappointment and every obstacle put in their way, and they, not we, have to deal with the parties on a day-to-day basis. Far from criticism, they deserve our encouragement and our support.

The PRESIDENT: I shall now make a statemnt in my capacity as the representative of the United States.

This resolution fairly and properly urges the parties to the Geneva negotiations to reach a just and comprehensive political settlement as soon as possible. As the resolution adds, however, any settlement that will endure must be freely agreed to by all the parties. The resolution does not take a

(The President)

stand on the points that the parties have taken to their constituencies from the Geneva negotiations. The decision has to remain with the parties to these negotiations. Whatever decision is reached, we hope it looks towards ending the terrible suffering this ravaged country and its people have endured. If the conflict continues into the winter, suffering will only increase. We must not accept peace at any price, but we do urge the parties to continue their attempts to reach a negotiated settlement.

While negotiations continue, we welcome and support the resolution's call for an immediate cessation of hostilities and for the unhindered flow of humanitarian assistance. We support its restatement of the principles of the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina, and its continuing United Nations membership in the context of the draft Constitution.

We must also keep in mind that signing a political settlement for Bosnia is only the first step towards a return to normalcy in the former Yugoslavia. The United States will continue to support efforts to reach a solution, consistent with Security Council resolutions, to the problem of the United Nations protected areas in Croatia. Similarly, the parties must cooperate with the international war crimes tribunal.

Finally, let me reiterate my Government's belief that signing a political agreement is not enough; a willingness effectively to implement what they have signed will be the real test of any of the parties' good will.

I now resume my functions as President of the Council.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 7.20 p.m.